

REMARKS

The April 1, 2005 Office Action regarding the above-identified application has been carefully considered. The specification and abstract have been amended to polish the grammar thereof at several points. Care has been taken to avoid introduction of new matter. Claims 1, 5 and 8 have been amended to more clearly distinguish over applied art, as will be discussed, later. All of the claims have been edited to improve grammar and clarity. Amendments made for purposes of distinguishing over art are discussed in the explanation of patentability. All other claim amendments are at most clarifying in nature and are believed to be non-narrowing. As discussed below, it is believed that all claims are in condition for allowance. Hence, Applicants respectfully request prompt favorable reconsideration of this amended application.

The Office Action set for a rejection of claims 1-6 and 8-20 under 35 U.S.C. §102(b) as anticipated by European application publication no. 1,085,740 to Teruhiko et al. (hereinafter Teruhiko). Claim 7 was rejected under 35 U.S.C. §103 as unpatentable, over the Teruhiko in combination with US application publication 2002/0056115 to Yoneda et al. (hereinafter Yoneda). Each of the independent claims has been amended to recite that the copy control information is applicable both to copy control in a recording/reproducing circuit and to control of the printer, and that printing of the digital information is controlled based upon the copy control information. It is respectfully submitted that neither Teruhiko alone nor the combination of Teruhiko with Yoneda satisfies these amended claim requirements. Hence, all of the pending claims are novel and unobvious over the applied documents.

Before specifically addressing the deficiencies of the references, it may be helpful to summarize the teachings of the present application. To prevent piracy by digital copying of video materials and the like, standards have been developed which enable a content provider to include “copy control” information imbedded in the digital information containing the content.

Various receiving, recording or reproducing devices permit or disable various display and/or recording functions based on the level of permission or lack thereof provided by the copy control information. As users have begun to print still images or other information extracted from digital video or similar data streams, a need has arisen to control associated printing functions. Printing permission/restriction was not considered, in the field of copy control information. Prior proposals for printing control have relied on addition of further control information, such as a printing permission flag (see, “Background of the Invention” section of the specification of this application). Hence, an objective of the teachings of this application is to enable controlling the printing permission without using or adding a new control information to the transmitted information (see “Summary of the Invention”). This is achieved by using the copy control information, that is to say the same information that controls copy-related functions in a recording/reproducing circuit, to also control whether or not to permit printing. Since the printing control uses the same information as the copy control, the disclosed approach facilitates easy effective control of printing permissions, but without the need to communicate new additional control information.

Because the printing control is possible without adding further control information, it is possible to control printing in presently existing systems having standard copy control, such as, the CGMS system or the like. If it is necessary to add control information, such as a separate printing permission flag, then a new standard and compatible equipment are necessary to implement the flag transmission and the responsive control functions. Also, such an approach makes it impossible to achieve the printing permissions and control function with presently existing systems.

As noted above, each of the independent claims now specifies that the copy control information is applicable both to copy control in a recording/reproducing circuit and to control of the printer, and that printing of the digital information is controlled based upon the copy control information.

Teruhiko teaches adding a print control descriptor, to video image data or still image data. The added description contains a printing permission flag and information as to the number of times of printing that are permitted. A static image print control device detects the print permission flag for an image, from the print control descriptor. The printer is permitted to print out the static image only when the flag indicates permission is granted. When non-permission is written into the print control descriptor, printout by the printer is inhibited. Attention is directed, for example, to the abstract. In the background description of related art (paragraphs [0003] to [0007]), Teruhiko discusses pre-existing copy control in video reproduction based on a copy control descriptor, such as that provided by the Copy Generation Management System (CGMS). Teruhiko notes, however, that the copy control descriptor used in CGMS would not be an effective technique for controlling static image printout (paragraph [0007]). Teruhiko therefore teaches adding a **print** control descriptor, which apparently is not in any way related to the copy control descriptor used to control video reproduction. A system ala Teruhiko in which control of both video reproduction and printout presumably would need both the copy control descriptor and the added print control descriptor. It is respectfully submitted that Teruhiko actually teaches away from using control information that is applicable, in common, both as information for copy control in a recording/reproducing circuit and as information for printing control in said printer. Teruhiko controls static image printout based on the added print control descriptor, therefore the

printing of the digital information is not controlled based upon the common copy control information, as now required by the independent claims.

Hence, Teruhiko does not satisfy the recitations of the independent claims regarding copy control information that is applicable both to copy control in a recording/reproducing circuit and to control of the printer, and regarding controlling the printing of the digital information based upon that copy control information. The anticipation rejection over Teruhiko therefore should be withdrawn.

It is respectfully submitted that Yoneda does not make up for the deficiencies of the teachings of Teruhiko. The 103 rejection cited Yoneda only for a teaching of descrambling before printout. The Yoneda publication fails to show the distinctive features of the present claims, as mentioned above, that is to say, the use of copy control information that is applicable both to copy control in a recording/reproducing circuit and to control of the printer, and the control of the printing of the digital information based upon that copy control information. The combination of Teruhiko and Yoneda therefore does not satisfy all of the recitations of the present independent claims or of rejected dependent claim 7. Also, as noted above, Teruhiko actually teaches away from using copy control information that is applicable both to copy control in a recording/reproducing circuit and to control of the printer. It is therefore submitted that the present claims, including claim 7, would not have been obvious over Teruhiko and Yoneda. Hence, the obviousness rejection over those documents also should be withdrawn.

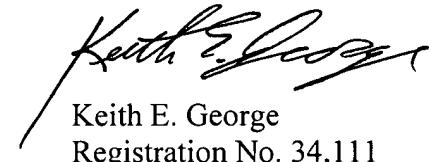
It is therefore submitted that all of the claims are patentable over the art and in condition for allowance. Accordingly, this case should now be ready to pass to issue; and Applicants respectfully request a prompt favorable reconsideration of this matter.

It is believed that this response addresses all issues raised in the April 1, 2005 Office Action. However, if any further issue should arise that may be addressed in an interview or an Examiner's amendment, it is requested that the Examiner telephone Applicants' representative at the number shown below.

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Keith E. George  
Registration No. 34,111

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 KEG:apr  
Facsimile: 202.756.8087  
**Date: June 21, 2005**

**Please recognize our Customer No. 20277  
as our correspondence address.**